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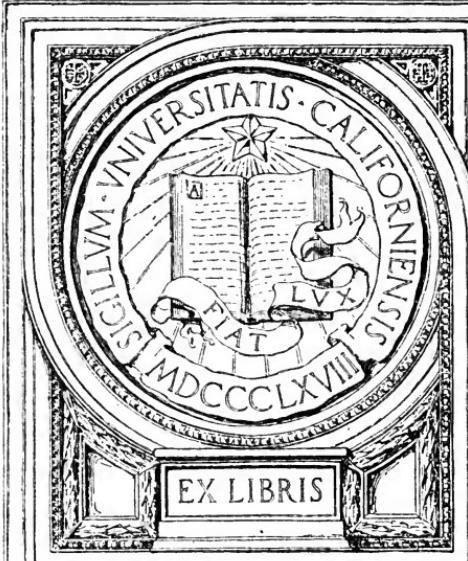
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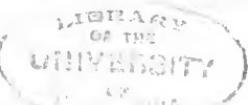
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INTERSTATE COMMERCE COMMISSION

American Railway Assn

NATIONAL CODE OF RULES

GOVERNING THE

WEIGHING AND REWEIGHING
OF CARLOAD FREIGHT

JUNE 9, 1914



WASHINGTON

GOVERNMENT PRINTING OFFICE

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INTERSTATE
COMMISSION
CALIFORNIA

INTERSTATE COMMERCE COMMISSION.

NATIONAL CODE OF RULES GOVERNING THE WEIGHING AND REWEIGHING OF CARLOAD FREIGHT.

The American Railway Association has adopted the code of rules governing the weighing and reweighing of carload freight reported by its Weighing Committee, and recommends that it be made generally applicable on interstate traffic. These rules have been considered and approved by the National Industrial Traffic League. The Interstate Commerce Commission, recognizing the great benefits to be derived from uniformity in weighing and reweighing rules, is desirous of lending its influence to the movement. The Commission, therefore, indorses the rules governing the weighing and reweighing of carload freight adopted by the American Railway Association and recommends that they be made effective on interstate transportation throughout the country.

This action, of course, is subject to the right and duty of the Commission to inquire into the legality or reasonableness of any rule or rules which may be made the subject of complaint.

By the Commission.

[SEAL.]

GEORGE B. McGINTY,
Secretary.

WASHINGTON, D. C., June 9, 1914.

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NATIONAL CODE OF RULES GOVERNING THE WEIGHING AND REWEIGHING OF CARLOAD FREIGHT.

INTRODUCTORY PARAGRAPH.

These rules do not change or amend the rules, minimum weights, or estimated weights provided in tariffs, or the classifications governing the tariffs, nor the rules and regulations of the individual lines as filed with the Interstate Commerce Commission.

RULE 1.—SUPERVISION OF SCALES.

When weights obtained on railroad or private scales are used for the assessment of freight charges, such scales shall be maintained, tested, and operated in accordance with the Track Scale Specifications and Rules approved by The American Railway Association.

RULE 2.—WEIGHTS—BY WHOM ASCERTAINED.

Weights should be ascertained by competent employees after proper instruction and under proper supervision.

RULE 3.—WEIGHTS—HOW ASCERTAINED.

SECTION A. When track-scale weights are used for the assessment of freight charges, weighing must be done by or under the supervision of the carriers or their representatives or under properly supervised weight agreements.

SECTION B. Cars may be weighed at rest:

(1) When uncoupled and free at both ends.

(2) When coupled at one end and free at the other end, only at points where the scale rails are level and approach rails level for a distance of 50 feet, and when the scales are kept in first-class condition.

SECTION C. Cars may be weighed in motion, only when uncoupled and free at both ends and alone, upon scales properly designed for weighing in motion and in charge of a competent weighmaster.

SECTION D. Cars loaded with long material extending from one car to another may be weighed coupled at rest. They may also be weighed coupled in motion on scales of sufficient length to properly weigh together the cars so coupled.

SECTION E. When the actual tare of a car has been ascertained immediately before loading, it shall be used in lieu of the marked tare, except as provided in Section F.

SECTION F. If a loaded car, upon arrival at destination, is weighed and the actual tare is ascertained after the entire lading of the car has been removed, including all packing and the débris resulting from that lading, it shall be

used in lieu of the marked tare. If the car is reloaded by the consignee, actual tare obtained in like manner may be used.

SECTION G. The marked tare should be used to arrive at the net weight of the load, except as provided in Sections E and F of this rule.

RULE 4.—WEIGHTS—WHERE ASCERTAINED.

Carload freight should be weighed at point of origin, or as near thereto as practicable.

RULE 5.—WHEN CARS MAY BE REWEIGHED.

SECTION A. When the lading has been transferred en route, where car has met with an accident, or where for other reasons there is evidence of loss in transit, the carriers will, when practicable, reweigh the car.

SECTION B. Carload freight may also be reweighed en route or at destination, for the information of the interested carriers and to test the accuracy of the previous weighings. (See Rule 8.)

SECTION C. When request is made by consignor or consignee for the reweighing of any car, such reweighing shall be done, whenever practicable, the car to be weighed again if necessary—subject to Rule 9.

RULE 6.—NOTIFICATION.

Upon request the consignor will be furnished with the gross, tare, and net weights and all changes made therein.

RULE 7.—INFORMATION TO BE SHOWN ON SCALE RECORD, WEIGHT CERTIFICATE, WAYBILL, FREIGHT BILL, ETC.

SECTION A. A record should be kept at each track scale showing the gross, tare (whether actual or stenciled), and net weight; the date and time of weighing; the condition of the weather; whether weighed at rest or in motion; coupled at one or both ends or uncoupled; when actual tare is used, estimated amount of débris in the car.

SECTION B. The point at which car is weighed and the gross tare and net weights will be noted in ink or indelible pencil on regular waybill and slip bill or card bill. When actual tare is used instead of marked tare it should be so specified (see Rule 3). The method of ascertaining the weight should also be specified as Railroad Scale, Weighing Bureau, Shippers', Tariff, Classification, or Agreement Weight. This information must also be shown on transfers to connecting line, on correction sheets when issued, carried on waybills to destination, and shown on freight bills.

SECTION C. When track scales are equipped with registering or recording device and sticker form of scale tickets is used, said tickets may be used in same manner as provided above, and if space is provided thereon the information shown in Section A will be added.

SECTION D. Where side cards are provided for the purpose, weights should be indorsed thereon.

SECTION E. In case agent at point of origin receives request from consignor for the result of weighing or reweighing, proper notation should be made on billing accompanying the car to destination. (See Rule 6.)

SECTION F. Where weights are obtained for billing purposes under weight agreements which do not provide for use of the gross and tare weights, the gross and tare weights need not be shown as provided in Sections B, C, and D.

RULE 8.—WEIGHTS TO GOVERN AND TOLERANCE.¹

SECTION A. Where carload freight, the weight of which is not subject to change from its inherent nature, is checkweighed or reweighed en route or at destination, no correction will be made in the billed weight except as provided below:

SECTION B. If the difference between the original net weight and the weight obtained by reweighing does not exceed the tolerance provided in this rule, the first weight will not be changed. If such difference exceeds the tolerance, the car should be weighed a third time if practicable. If the third weighing confirms the original weight within the tolerance, no change shall be made. Where the original weight can not be applied as above, the lower of the second or third weight shall be used where the difference between the second and third weights does not exceed the tolerance.

SECTION C. In deciding between weights obtained on track scales as to which is the more correct, all of the conditions under which the several weighings were done must be taken into consideration, including the class of scale, condition, how recently tested, the manner of weighing, whether car was at rest or in motion, coupled or uncoupled, actual or stenciled tare used, the time of weighing, weather conditions, and the reliability of the weigher, giving precedence to that weight obtained under the best conditions.

SECTION D. The consignor or consignee shall be permitted to show the actual weight of any carload shipment either by means of shipper's authenticated invoice or by weighing the entire load on platform scales, or by so weighing a proper portion of uniform or standard weight articles (not less than 10 per cent of the lading), weighing to be performed under supervision of the carrier; provided such total weight includes all blocking, packing, and débris resulting from the lading in question. This actual weight will be used to determine freight charges (subject to weight agreements if applicable), provided the difference in weight exceeds the tolerance.

SECTION E. The tolerance shall be 1 per cent of the lading, with a minimum of 500 pounds, on all carload freight, including coal and coke, except that when ashes, cinders, clay, dolomite, ganister, gravel, mill scale, ore, sand, slag, all stone (not cut), and similar bulk freight, brick and soft drain tile are loaded in open cars, the tolerance shall be 1 per cent of the lading, with a minimum of 1,000 pounds.

NOTE.—Tolerance on coal and coke does not include difference in weight due to evaporation, which shall be determined and published in initial carrier's tariff.

SECTION F. Weights of commodities subject to shrinkage in weight from their inherent nature, properly obtained at or near point of origin, should not be changed, except as provided for in the tariffs of the carriers. If obvious error is discovered, each case should be dealt with upon its individual merits and report made to the originating carrier with all the facts.

RULE 9.—CHARGES FOR WEIGHING AND REWEIGHING.

SECTION A. When weights are obtained for the assessment of freight charges no charge will be made by the carrier for the service.

SECTION B. When a car is weighed or reweighed, either empty or loaded, at request of either consignor or consignee, the service and charges will be in accordance with conditions named below, subject to the rules and carload minimum weights prescribed in tariffs and classifications.

¹ Definition of tolerance: The difference in weights due to variation in scales or weighing which may be permitted without correction of the billed weight.

SECTION C. When a shipper or consignee requests that a car containing a commodity which is not subject to shrinkage from its inherent nature be reweighed, this service, wherever practicable, will be performed by the carrier without charge, provided such reweighing discloses error in the billed weight of more than the tolerance provided in Rule 8. When a car contains a commodity which is subject to shrinkage from its inherent nature no charge will be made if the billed weight is changed, as per Rule 8, Section F.

SECTION D. When a car is weighed or reweighed, either empty or loaded, at request of either consignor or consignee, a charge will be made each time car is weighed (except as provided in Section C) :

- (1) On private scales located at the industry, \$——— per car.
- (2) On other private scales conveniently located, \$——— per car. (See note.)
- (3) On railroad company's scales conveniently located, \$——— per car.

NOTE.—The parties desiring the weighing done must make their own arrangements with the owners of the scales for their use. The charge of \$——— covers only the weighing service performed by the carrier.

SECTION E. When inbound freight is weighed or reweighed by a switching line (not participating in the freight rate) the above charges will be assessed, regardless of any variation in weights, and will be in addition to the regular switching charge. If no change is made in billed weight the charge will be against the party or road requesting weighing; when change is made in billed weight the charge will be made by the switching line against the delivering road.

SECTION F. When carload shipments which are provided for in classification and tariffs at fixed or estimated weights are reweighed, at the request of consignor or consignee, the above charges will be assessed, regardless of any variation in weight.

SECTION G. Where carload shipments are billed at minimum carload weight and are reweighed on request of consignor or consignee, the above charges will be assessed, unless the variation in the weight increases the freight charges.

RULE 10.—WEIGHT AGREEMENTS.

SECTION A. When shippers' weights of property are accepted and applied by the carriers under weight agreements, properly supervised, such weights should be designated in the prescribed manner on waybills, shipping tickets, bills of lading, or weight certificates (see Rule 7, Section B), and the property should not be reweighed, except as provided in Rule 5. Proper supervision means checking of the records of the shipper by the authorized representative of the carrier to verify the weights and descriptions furnished and the weighing of a sufficient number of cars for verifications.

SECTION B. When investigation, through examination of the shippers' records or by reweighing, discloses error in weights or description shown on original billing the charges shall be adjusted to the proper basis, and notice of such change shall in all cases be transmitted to the interested carriers or their representatives.

SECTION C. Forms of weight agreement suitable to the character of the business tendered for transportation shall embrace the following general principles, and copies thereof shall be filed with the Interstate Commerce Commission. The agreements shall be in writing and provide that—

- (1) The shipper shall report and certify correct gross weights (except where estimated weights are provided in tariff or classifications), and correct description of commodities on shipping tickets, bills of lading, or weight cer-

tificates, and correct gross tare and net weights when obtained on track scales, where such weights are used for billing purposes.

(2) The shipper shall allow the authorized representative of the carrier to inspect the original weight sheets, books, invoices, and records necessary to verify the weights and description of the commodities certified in the shipping tickets, bills of lading, or weight certificate.

(3) The shipper shall promptly pay to the authorized representative of the carrier bills for all undercharges resulting from the certification of incorrect weights or improper description.

(4) When weights of uniform or standard weight articles are based upon averages the shipper shall give prompt notice to the authorized representative of the carrier when any change is made in the package or material used which will affect the weight arrived at by use of the average.

(5) The shipper shall keep in good weighing condition any and all scales used in determining weights and have track scales tested, maintained, and operated in accordance with the Track Scale Specifications and Rules approved by the American Railway Association, and shall allow the authorized representative of the carrier to inspect and test them.

(6) The agreement may be canceled by 10 days' notice in writing to either party.

(7) All shipments made under the agreement will be subject to rates and charges prescribed by classifications, tariffs, or rules of the carriers interested.

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